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PATENT

Attorney Docket No. A-59553-2/RFT/JJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CUTHBERTSON

Serial No. 09/632,149

Filed: August 3, 2000

For: OCULAR GENE THERAPY

Examiner: NGUYEN, Q.

Group Art Unit: 1632

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated:

Signed:

May 7, 2001
Marjorie Jost

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5-23-01

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449.

Since copies of these references were provided either by the Applicant or the Examiner in United States Serial Nos. 09/018,599, filed February 4, 1998 (now Pat. No. 6,204,251) or 08/332,566, filed October 31, 1994 (now Pat. No. 5,827,702), upon which the instant application relies for its priority date, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed with this document.

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None of the foregoing references are believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

Pursuant to 37 C.F.R. §1.97(c), enclosed is a check in the amount of \$180.00 as set forth in 37 C.F.R. §1.17(p). The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-59553-2/RFT/JJD).

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: May 1, 2001

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